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C O N F I D E N T I A L SECTION 01 OF 04 USOSCE 000271

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TAGS: [PARM](#) [PREL](#) [KCFE](#) [OSCE](#) [ZL](#)

SUBJECT: DAYTON ART. IV: 41ST SRCC A COOPERATIVE SUCCESS

REF: PODGORICA 0261

Classified By: Chief Arms Control Delegate Hugh Neighbour for reasons 1  
.4(b) and (d)

11. (U) Summary: The 41st Dayton Article IV Sub-Regional Consultative Commission (SRCC) met October 14-15 in Montenegro and included the signing of key amendments to the agreement that formally integrated Montenegro into the treaty as an independent state party. Four decisions were taken, which included agreements to publish an operational handbook for inspectors, to increase the timeframe for arms in the status for export from two to four years, to use Automated Data Systems software for developing the Annual Exchange of Information, and an agreement to the obligatory use of the Integrated Notification Application (INA) beginning January 1, 2009. (NOTE: Dayton Article IV was established in 1996 and is patterned after the treaty on Conventional Armed Forces in Europe. It is a successful arms control regime under the auspices of the OSCE for what now are four states of the former Yugoslavia: Bosnia and Herzegovina, the Republic of Croatia, Montenegro, and the Republic of Serbia. END NOTE.) End Summary

Serbians Show Up As Expected  
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12. (C) There was early speculation among the contact group that Serbia might not send its delegation to the SRCC because just days before the scheduled SRCC, Montenegro and Macedonia recognized the independence of Kosovo. This turned out to be a non-issue as the Kosovo issue was never discussed and Serbian Ambassador Branka Latinovic and Lieutenant Colonel Navakovic were present at the opening dinner on the evening of October 13.

¶3. (U) The 41st Dayton Article IV SRCC, held in a sea-side resort on Montenegro's Adriatic coast was chaired by Montenegrin Ambassador Milorad Scepánovic. Assisting him in maintaining the flow and direction of the forum was the OSCE Chairman-in-Office's Personal Representative (PR) for Dayton Article IV Brigadier General Costanzo Periotto. The contact group was fully attended by a representative each from France, Germany, Italy, Russia, the UK and the U.S.

¶4. (SBU) The SRCC began with opening remarks and the adoption of the past minutes. The adoption of one set of minutes in particular was initially postponed due to disagreements over the language and edits in the text. This led to a lengthy discussion on the need for specificity in the text of the minutes, illustrated when the delegation from Bosnia and Herzegovina (BiH) corrected the Montenegrin delegation's work on the minutes by requesting that its armed forces be referred to in the minutes as the "Armed Forces of Bosnia and Herzegovina" and not simply as the Bosnian Army.

Amendments and Signing Ceremony: No Media Please  
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¶5. (SBU) The Parties then turned to the business of a ceremonial signing of several Amendments to the Agreement. The Amendments, once signed, codified Montenegro's status as an individual Party to the Article IV agreement. The Parties previously accepted Decision 1/39 in October 2007, which endorsed a July 2007 bilateral agreement between Serbia and Montenegro, dividing Article IV armament entitlements

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between the two Parties and allowing Montenegro to participate in the agreement as a party separate from Serbia.

¶6. (C) Before the Parties were able to relocate to a nearby room for the formal signing ceremony as planned, a small group of reporters, including one carrying a large video camera, streamed into the ongoing SRCC session. Serbian Ambassador Latinovic quickly protested the media's presence, saying that the Parties had not been notified that the media had been invited. She asked the chairman to order all press representatives to leave the room, which they then did. (COMMENT: The Serbian Ambassador was visibly agitated at this development, almost certainly because she was nearly photographed and videotaped representing Serbia in a diplomatic event in Montenegro just days after Montenegro recognized Kosovo's independence. Serbia, in response, had expelled Montenegro's Ambassador to Belgrade. END COMMENT.)

¶7. (SBU) Soon after the controversy over the media, the Amendments were signed by all Parties in a nearby room with smiles and champagne, but the only fanfare came from the snapping of pictures from representatives' personal digital cameras. (NOTE: On October 13, an estimated 10,000 people in the Montenegrin capital of Podgorica protested Montenegro's October 9 decision to recognize Kosovo's independence (reftel). The pro-Serb rally, which was extensively covered in the local media, turned violent and led to 30 people suffering minor injuries. END NOTE.)

Decision 1/41: Though We Agree, Let's Continue To Disagree  
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¶8. (C) The next agenda item involved an issue that at first appeared to most as minor but which soon elicited testy back and forth disagreements, many of which were initiated by the Serbian delegation. The issue involved the status of publication of an operational handbook for Dayton Article IV inspectors and a companion publication of the so called "compendium," which is a brief written history of the agreement itself.

¶9. (C) The Serbian position, based on the text of a previous decision, 3/40, was that both documents were to be part of a single publication. The other parties, including the PR

recognized that both would not be ready for publication at the same time and General Periotto recommended as a compromise for the Parties to publish the operational handbook first, because it was nearly completed, and to continue work on the compendium. After a hour of heated back and forth bickering about positions and which delegation was being more flexible, the Serbians eventually agreed to the compromise saying "I believe this shows maximum flexibility unlike the Croatian decision." The Chair, trying to minimize the growing tensions, interrupted with the statement that "each party has the right to remain inconclusive." Despite the appearance of almost complete agreement among the parties on the issue, the BiH delegation proposed that discussion on the issue be suspended until the next morning because "the morning is a much smarter period." All agreed to delay the dialogue on the publication until the next day, and the following morning the decision was quickly adopted with no substantive debate or disagreement.

#### The Other Three Decisions

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¶10. (SBU) The next decision, 2/41, increasing the timeframe for "arms in the status for export" from two to four years was agreed to very quickly. The only dissenting opinion during discussions came from the PR's office. Retired German Lieutenant Colonel Helmut Kruse offered his opinion that during the last SRCC, Decision 4/40 increased the timeframe for the same armaments from one to two years and now that all wanted a four-year timeframe, he questioned whether this met the legally binding rule of being a temporary timeframe. Montenegro weighed in saying that it was now at the end of the existing two year limit and did not want weapons currently in export status to be discounted if the timeframe were to be surpassed. General Periotto allowed that four years may not be temporary but that if all the Parties were happy with the decision, then he was happy with it as well.

¶11. (C) The third and fourth decisions were adopted with little debate. Decision 3/41 involved agreement on the use of Automated Data Systems (ADS) for Dayton Article IV data exchanges. (NOTE: ADS is currently used to support data exchanges for the CFE treaty, the Vienna Document 1999, and the Global Exchange of Military Information. END NOTE.) The only concern was raised privately among members of the contact group and it regarded the source of the funding, a concern that went unresolved after a brief sidebar between the contact group and members of the PR's office.

¶12. (SBU) Decision 4/41 agreeing to the obligatory use of the Integrated Notification Applications (INA) for all Parties beginning January 1, 2009 met with only brief concern from the BiH delegation, which wanted to ensure language permitting alternate means of communication if the INA process were to break down. (NOTE: The purpose of the INA, which is already in use for inspections and activity related to the CFE treaty, the Open Skies treaty, and the Vienna Document 1999, is to ensure a direct communications link between the state parties to send and receive messages and notifications for Dayton Article IV operations. END NOTE.) German Lieutenant Colonel Detlef Hempel from the PR's Office responded that there was no need for specific language in the decision regarding this concern: should there be a technical problem with the INA, it was expected that all would use a telephone, fax, or other means to ensure effective communication.

#### Let's Not Actually "Involve" the Media

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¶13. (C) The Parties then discussed the future role of the media in SRCC affairs. Having had the SRCC forum marred by the presence of the media the previous day, which the Montenegro chair admittedly had not cleared with the rest of

the delegations, the Parties found renewed reason to settle on an approach to working with the media. Serbia and Croatia were unified in the position that SRCC meetings are closed meetings of experts and therefore should never be open to media coverage. Ambassador Latinovic recommended that the Parties refer to the act of "informing" the media of SRCC matters rather than "introducing" the media into Article IV affairs. She further suggested that a system for handling the media was not needed and that it should be dealt with on a case-by-case basis. Latinovic ended her statement by regretfully relaying to the Parties that her name had been mentioned in the press on October 14 as being the individual responsible for denying media coverage of the previous day's SRCC activities.

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#### The Inspection Regime Still Works

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¶14. (SBU) The final issues discussed were an analysis of the inspection regime for the first half of 2008 and a review of the minimum number of quotas for the 2009 inspection regime. The Parties expressed unanimous satisfaction with the inspection regime thus far in 2008. Highlighting improvement in the process from the previous year, Montenegro summarized its activity in the first half of the year as having implemented two passive inspections and three active inspections in Serbia and BiH and saying it had no disputable issues. Discussion then turned to the issue of quotas for ¶2009. Initially BiH, Croatia, and Montenegro favored maintaining for 2009 the same number of quotas existing in the 2008 inspection regime. Serbia requested a slight decrease in the number of quotas reducing its passive quota from seven to six and Montenegro's active quota from four to three. All Parties then unanimously agreed to this change and the change was adopted.

¶15. (U) General Periotto stated that his office planned to organize an exhibition in February 2009 to mark the success of the Dayton Article IV agreement, with an emphasis on the completion of the 300th inspection. He recommended an opening ceremony which would include speeches by him and the future presiding chair from Croatia and a photo presentation of the 12 years of implementation of the agreement. All agreed to the idea and to support the effort.

#### Future Meetings

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¶16. (U) The next Dayton Article IV Extraordinary Consultative Commission will take place December 11 at the Hofburg Palace in Vienna, Austria with Croatia as the next chair. All Parties also agreed to February 18, 2009 as the date of the next permanent working group and as the date of the proposed Dayton Article IV exhibition. General Periotto and the Montenegrin Ambassador then made a joint statement they referred to as a serious one: that everyone must watch the World Cup soccer match that evening between Italy and Montenegro. Unsurprisingly, Italy defeated Montenegro 2-1 in an uneventful contest.  
SCOTT